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Attorney for Defendant Joshua Webb

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA WEBB,

Defendant.

No. 3:20-MJ-00169-1

DECLARATION OF COUNSEL
SUPPORTING DEFENDANT'S
UNOPPOSED MOTION TO CONTINUE
ARRAIGNMENT AND FOR FINDING OF
EXCLUDABLE DELAY

I, James F. Halley, do declare under penalty of perjury that the following is true and correct:

1. I am a member of the Oregon State Bar, and I am counsel for defendant Joshua Webb in this case. I make this declaration in support of defendant's motion to continue the arraignment currently set for February 22, 2021 in this case for a period of 30 days.

2. This is the defendant's third motion for a continuance of the arraignment. The prosecution charged Mr. Webb by way of a complaint with assaulting a federal officer in violation of 18 U.S.C. §111(a)(1). CR 1. At defendant's first appearance the court set August 26, 2020 as the time for a preliminary hearing or arraignment on an indictment, and, pursuant to defendant's first motion to continue, the court reset the arraignment to September 25, 2020. ECF 14. Defendant filed a second motion to

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UNOPPOSED MOTION TO CONTINUE ARRAIGNMENT &
FOR EXCLUDABLE DELAY

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continue the arraignment on September 18, 2020, and the court reset the arraignment for the current February 22, 2021 date. ECF 17.

3. I make this motion to allow time for resolution of the case. The prosecution will dismiss the case once Mr. Webb has completed 20 hours of community service. As of this date, Mr. Webb has completed 15 hours of community service, and the defense anticipates that the 20 hours will be completed by February 15. Continuing the arraignment for 30 days will allow time for conclusion of the case.

4. I have conferred with AUSA Parakram Singh and I understand that he does not object to this motion.

5. I have advised Mr. Webb of his right to a probable cause hearing under F.R.Crim.P. 5.1(c) within 21 days of his initial appearance and his right to an indictment within 30 days. I have also advised him of his speedy trial right to a trial within 70 days of his arrest or first appearance, whichever comes later. He has agreed to waive those rights for the purpose of this request for a continuance.

For these reasons, I respectfully request that the arraignment date be continued for 30 days.

Respectfully submitted February 9, 2021

JAMES F. HALLEY, P.C.

/s/ James F. Halley

James F. Halley, OSB #911757
Attorney for Joshua Webb